

LATHAM & WATKINS LLP
MARGARET M. ZWISLER (margaret.zwisler@lw.com)
AMANDA P. REEVES (amanda.reeves@lw.com)
555 Eleventh Street, N.W., Suite 1000
Washington, D.C. 20004
Telephone: (202) 637-2200
Facsimile: (202) 637-2201

CHARLES H. SAMEL (SBN 182019) (charles.samel@lw.com)
JENNIFER A. CARMASSI (SBN 221592) (jennifer.carmassi@lw.com)
633 West Fifth Street, Suite 4000
Los Angeles, California 90071-2007
Telephone: (213) 485-1234
Facsimile: (213) 891-8763

Attorneys for Defendants ATI Technologies ULC and
Advanced Micro Devices, Inc.

COOLEY GODWARD KRONISH LLP
STEPHEN C. NEAL (170085) (sneal@cooley.com)
JOHN C. DWYER (136533) (dwyerjc@cooley.com)
JAMES DONATO (146140) (jdonato@cooley.com)
WHITTY SOMVICHIAN (194463) (wsomvichian@cooley.com)
JEFFREY M. GUTKIN (216083) (jgutkin@cooley.com)
101 California Street, 5th Floor
San Francisco, CA 94111-5800
Telephone: (415) 693-2000
Facsimile: (415) 693-2222

Attorneys for Defendant NVIDIA Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE GRAPHICS PROCESSING UNITS
ANTITRUST LITIGATION

Case No. M-07-CV-01826-WHA

MDL No. 1826

This Document Relates To:

ALL ACTIONS

**DECLARATION OF
CHARLES H. SAMEL IN SUPPORT
OF DEFENDANTS' MOTION TO
STAY DISCOVERY**

Hon. William H. Alsup
Courtroom 9, 19th Floor
Date: July 12, 2007
Time: 8:00 a.m.

DECLARATION OF CHARLES H. SAMEL

I, Charles H. Samel, declare as follows:

1. I am a partner at the law firm of Latham & Watkins LLP, counsel of record for defendants Advanced Micro Devices, Inc. ("AMD") and ATI Technologies ULC, and am one of the attorneys at the firm with responsibility for this matter.

2. I submit this declaration in support of defendants' motion to stay discovery, filed concurrently herewith. I have personal knowledge of the matters set forth herein, except as indicated, and would testify truthfully hereto if so requested.

3. On November 30 and December 1, 2006, AMD and NVIDIA Corporation, respectively, publicly announced that each had received a subpoena from the Antitrust Division of the U.S. Department of Justice in connection with its investigation into competitive practices in the "Graphics Processing Units and Cards" industry.

4. Within days of these public disclosures, plaintiffs Henry Truong, Stephanie Truong, Trong Nguyen, and Judd Eliasoph, each represented by the Furth firm, filed separate, but nearly identical, complaints in this Court. I, or other attorneys at my direction who have reported their findings to me regarding the matters herein, have reviewed these complaints and the related complaints filed against defendants in this matter and know the contents therein.

5. A true and correct copy of the complaint in *Henry Truong v. Nvidia Corp.*, et al., N.D. Cal. case no. 06-7417 ("Truong Complaint"), filed on December 5, 2006, is attached hereto as Exhibit A.

6. Since plaintiffs Henry Truong, Stephanie Truong, Trong Nguyen, and Judd Eliasoph filed their complaints in early December 2006, plaintiffs have filed nearly fifty additional copycat lawsuits.

7. The plaintiffs in the vast majority of these actions purport to file their complaints on behalf of a putative class of persons who bought defendants' products indirectly, for their own use and not for resale.

8. A much smaller number of complaints allege a class of direct purchasers.

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FILER'S ATTESTATION:

Pursuant to General Order No. 45, § X(B) regarding signatures, I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from its signatory.

Dated: June 7, 2007

By: /s/ James Donato
James Donato